

LEGAL NOTICE
Notice of Opportunity
to Object
Melvin Butte
Vegetation
Management Project

Deschutes National
Forest, Sisters Ranger
District

This legal notice announces the availability of the final environmental assessment (EA) and draft Decision Notice (DN) for the Melvin Butte Vegetation Management Project and provides information on how to object to the proposed decision. The project's legal location is T16S, R09E, and T17S, R09; Willamette Meridian.

John Allen, Forest Supervisor, has decided to implement Alternative 2 as described in the final environmental assessment. The draft decision would maintain and restore forest resiliency and forest health in conifer stands to provide habitat for interior forest species and reduce the hazard of large scale fires on about 4,469 acres. There has been depa-rture in conifer stands in the project area from the Historic Range of Variability (HRV) and vegetation treatments such as thinning from below

and prescribed burning would create conditions that move stands towards the HRV over the long-term. About 8 miles of road would be decommissioned; about six miles of road closed. Alternative 2 would construct about 0.08 miles of temporary road. The project area is about 5,375 acres in size.

The analysis has been completed and the project is now subject to the pre-decisional administrative review process pursuant to 36 CFR 218 subparts A and B (aka the objection process). The final environmental assessment and draft Decision Notice can be obtained by contacting Michael Keown, Project Leader, Sisters Ranger District, Pine Street and Highway 20, Sisters, Oregon 97759. Phone (541) 549-7735 or viewed on the Forest Service NEPA web-site:

http://data.ecosystem-management.org/ne-paweb/nepa_project_exp.php?project=4410

During the objection period, only those individuals or organizations that submitted specific written comments during a designated opportunity for public participation (such as scoping or the 30-day public comment period on the draft environmental assessment) may object (36 CFR 218.5). Objections must meet the requirements of 36 CFR 218.8(d); incorporation of documents by reference is permitted only as provided for at 36 CFR 218.8(b).

Objections may be filed at the following locations:

Postal Delivery: *Reviewing Officer, Pacific Northwest Region, USDA Forest Service, Attn: 1570 Appeals and Objections, PO Box 3623, Portland, Oregon 97208-3623;*
Emailed to: objections-pnw-region-al-office@fs.fed.us.

Please put **OBJECTION** and the project name in the subject line.

Electronic objections must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to addresses other than the ones listed above or in formats other than those listed above or containing viruses will be rejected. It is the responsibility of the objector to confirm receipt of objections submitted by electronic mail. For electronically mailed objections, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of receipt, it is the sender's responsibility to ensure timely receipt by other means;

Hand deliveries: *Pacific Northwest Regional Office, 1220 SW 3rd Ave., Portland, Oregon 97204.* Hand deliveries can occur between 8:00 AM and 4:30 PM, Monday through Friday except legal holidays; or **Faxed to:** *Regional Forester, Attn: 1570 Appeals and Objections at (541)383-5553.*

Objections must be postmarked or received by the Reviewing Office within 45 days from the date of publication of notice of the objection period in The Bulletin, the newspaper of record, Bend, OR. The publication date is the exclusive means for calculating the time to file an objection. Those wishing to file an objection should not rely upon dates or timeframe information provided by any other source.

Issues raised in objections must be based on previously submitted specific written comments regarding the proposed project or activity and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate

compliance with this requirement for objection issues.

An objection must include a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and a statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

For additional information about the objection process or the Melvin Butte project contact Michael Keown, Environmental Coordinator, phone (541) 549-7735, email mkeown@fs.fed.us.

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